

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

STADIUM CAPITAL LLC, on behalf of itself
and all others similarly situated,

Plaintiff,

v.

CO-DIAGNOSTICS, INC., DWIGHT H. EGAN,
and BRIAN L. BROWN,

Defendants.

Case No.: 1:22-cv-06978-MKV

DREW LEE, Individually and
On Behalf of All Others Similarly Situated,

Plaintiff,

v.

CO-DIAGNOSTICS, INC., DWIGHT H. EGAN,
and BRIAN L. BROWN,

Defendants.

Case No.: 1:22-cv-07988-MKV

**NOTICE OF MOTION AND MOTION OF STADIUM CAPITAL LLC
FOR CONSOLIDATION OF RELATED ACTIONS, APPOINTMENT AS LEAD
PLAINTIFF AND APPROVAL OF ITS SELECTION OF LEAD COUNSEL**

PLEASE TAKE NOTICE that on a date and at a time designated by the Court, before the Honorable Mary Kay Vyskocil, at the United States District Court for the Southern District of New York, located at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 18C, New York, New York 10007, Stadium Capital LLC (“Stadium Capital”), by counsel, pursuant to the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 78u-4(a)(3)(B), will respectfully move this Court for an Order: (i) consolidating the above-captioned related actions (the “Related Actions”); (ii) appointing Stadium Capital as Lead Plaintiff in the Related Actions, (iii) approving Stadium Capital’s selection of Kaplan Fox & Kilsheimer LLP (“Kaplan Fox”) to serve as Lead Counsel for the class, and (iv) for any such further relief as the Court may deem just and proper. In support of this Motion, Stadium Capital submits its Memorandum of Law in Support of the Motion of Stadium Capital for Consolidation of Related Actions, Appointment as Lead Plaintiff and Approval of Its Selection of Lead Counsel, and the Declaration of Jason A. Uris in Support Thereof.

This Motion is made on the grounds that Stadium Capital believes it is the “most adequate plaintiff” pursuant to the PSLRA and should therefore be appointed Lead Plaintiff. Specifically, Stadium Capital believes that it has the “largest financial interest” in the relief sought by the class in the Related Actions as a result of the substantial loss it suffered on its purchases of Co-Diagnostics, Inc. securities during the Class Period. Stadium Capital also believes that it otherwise satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure because its claims are typical of those of other class members and because it will fairly and adequately represent the interests of the class.

WHEREFORE, Stadium Capital requests that the Court: (1) consolidate the Related Actions; (2) appoint Stadium Capital as Lead Plaintiff in the above-captioned action in accordance

with the PSLRA; (3) approve Stadium Capital's selection of Kaplan Fox to serve as Lead Counsel for the Class; and (4) grant any such further relief that the Court may deem just and proper.

Dated: October 17, 2022

Respectfully submitted,

/s/ Jason A. Uris

Jason A. Uris

Frederic S. Fox

Donald R. Hall

KAPLAN FOX & KILSHEIMER LLP

850 Third Avenue, 14th Floor

New York, NY 10022

Telephone: (212) 687-1980

Facsimile: (212) 687-7714

juris@kaplanfox.com

ffox@kaplanfox.com

dhall@kaplanfox.com

*Attorneys for Movant Stadium Capital
and Proposed Lead Counsel for the Proposed
Class*

CERTIFICATE OF SERVICE

I, Jason A. Uris, hereby certify that, on October 17, 2022, I caused the foregoing to be served on all counsel of record by filing the same with the Court using the CM/ECF system which will send electronic notices of the filing to all counsel of record.

/s/ Jason A. Uris

Jason A. Uris